

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

9 JON D. BOLTON, )  
10 Plaintiff, ) 2:06-cv-522-KJD-RJJ  
11 vs. )  
12 STATE OF NEVADA, ) REPORT & RECOMMENDATION  
13 NEVADA DEPARTMENT OF PUBLIC SAFETY, ) OF UNITED STATES  
14 PAUL H. ELLIS, MAYRA G. CARPENTER, ) MAGISTRATE JUDGE  
15 AMY H. WRIGHT, CLARK COUNTY, )  
16 Defendants. )  
17 \_\_\_\_\_

16 This matter was referred to the undersigned Magistrate Judge to determine the status of  
17 this case.

18 The Court having reviewed this matter finds that Plaintiff, Jon D. Bolton, has taken no  
19 action to prosecute this case since July 2006 (approximately 10 months). Good cause appearing  
20 therefore,

## RECOMMENDATION

22 IT IS THE RECOMMENDATION of the undersigned Magistrate Judge that this matter  
23 be DISMISSED WITH PREJUDICE for want of prosecution pursuant to LR 41-1.

## NOTICE

25 Pursuant to Local Rule IB 3-2 [former LR 510-2] any objection to this Report and  
26 Recommendation must be in writing and filed with the Clerk of the Court within ten (10) days  
27 after service of this Notice. The Supreme Court has held that the courts of appeal may determine  
28 that an appeal has been waived due to the failure to file objections within the specified time.

1        Thomas v. Arn, 474 U.S. 140 (1985), reh'g denied, 474 U.S. 1111 (1986). This Circuit has also  
2 held that (1) failure to file objections within the specified time and (2) failure to properly address  
3 and brief the objectionable issues waives the right to appeal the District Court's order and/or  
4 appeal factual issues from the order of the District Court. Martinez v. Ylst, 951 F.2d 1153 (9th  
5 Cir. 1991); Britt v. Simi Valley United Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983).

6 DATED this 7<sup>th</sup> day of May, 2007,

Robert J. Johnston  
ROBERT J. JOHNSTON  
United States Magistrate Judge